

CLOSED

**U.S. District Court
California Northern District (Oakland)
CRIMINAL DOCKET FOR CASE #: 4:21-mj-70904-MAG All Defendants**

Case title: USA v. Wells

Other court case number: 4:21-CR-126-SDJ-KPL Eastern
District of Texas (Sherman Division)

Date Filed: 05/26/2021

Date Terminated: 06/02/2021

Assigned to: Magistrate Judge

Defendant (1)

Andre Martell Wells

TERMINATED: 06/02/2021

represented by **Angela Milella Hansen**
Federal Public Defender's Office
1301 Clay Street
Suite 1350N
Oakland, CA 94612
510-637-3500
Fax: 510-637-3507

Email: Angela.Hansen@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

21:846: Conspiracy to Possess
with the Intent to Distribute
Marijuana

Disposition

Plaintiff

USA

represented by **Jonathan Unruh Lee**
United States Attorneys Office
Northern District of California
1301 Clay Street
Oakland, CA 94612-5217
510-637-3703
Fax: 510-637-3724
Email: jonathan.lee@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Designation: Assistant US Attorney

Date Filed	#	Docket Text
05/26/2021	<u>1</u>	Notice of Proceedings on Out-of-District Criminal Charges Pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal Procedure as to Andre Martell Wells (1). (jlmS, COURT STAFF) (Filed on 5/26/2021) (Entered: 05/27/2021)
05/27/2021	<u>2</u>	AMENDED Notice of Proceedings on Out-of-District Criminal Charges Pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal Procedure as to Andre Martell Wells. (jlmS, COURT STAFF) (Filed on 5/27/2021) (Entered: 05/27/2021)
05/27/2021	<u>3</u>	<p>Minute Entry for proceedings held before Magistrate Judge Kandis A. Westmore: Initial Appearance as to Andre Martell Wells held on 5/27/2021.</p> <p><u>The Court directs entry of the following Order:</u> Pursuant to the Due Process Protection Act, the Court advised government counsel of the government's disclosure obligations under <i>Brady v. Maryland</i> and its progeny, and that the failure to do so in a timely manner may result in dismissal of the indictment or information, dismissal of individual charges, exclusion of government evidence or witnesses, or any other remedy that is just under the circumstances.</p> <p>ID of Counsel Hearing as to Andre Martell Wells held on 5/27/2021. CJA23 Submitted as to Andre Martell Wells. Added attorney Chinhayi Coleman Cadet for USA. Angela Milella Hansen for Andre Martell Wells. Arraignment held on 5/27/2021. NOT GUILTY PLEA entered.</p> <p>Bond Hearing as to Andre Martell Wells held on 5/27/2021. Defendant consents to proceed by video. Government's oral motion to unseal matter as to Andre Wells is granted. Defendant shall appear on or before 6/17/21 in the Eastern District of Texas. Defendant's father-in-law admonished of his rights and responsibilities as surety. Defendant and surety authorize Court to sign bond on their behalf. DPPA advised. Defendant waives indentity/removal. Defendant Ordered RELEASED on the issuance of a \$50,000.00 Appearance Bond. (Zoom: 2:50-3:18). (jlmS, COURT STAFF) (Filed on 5/27/2021) (Entered: 05/28/2021)</p>
05/27/2021	<u>4</u>	ORDER Setting Conditions of Release. Appearance Bond Entered as to Andre Martell Wells in amount of \$50,000.00. Signed by Magistrate Judge Kandis A. Westmore on 05/27/21. (jlmS, COURT STAFF) (Filed on 5/27/2021) (Entered: 05/28/2021)
05/27/2021	<u>5</u>	CJA 23 Financial Affidavit by Andre Martell Wells (jlmS, COURT STAFF) (Filed on 5/27/2021) (Entered: 05/28/2021)
06/01/2021	<u>6</u>	ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL to the Eastern District of Texas as to Andre Martell Wells. Signed by Magistrate Judge Kandis A. Westmore on 05/28/21. (jlmS, COURT STAFF) (Filed on 6/1/2021) (Entered: 06/01/2021)
06/02/2021	<u>7</u>	CLERK'S LETTER re Transmission of Rule 5 Documents to the Eastern District of Texas (Sherman Division) as to Andre Martell Wells (jlmS, COURT STAFF) (Filed on 6/2/2021) (Entered: 06/02/2021)
06/02/2021	<u>8</u>	<p>NOTICE OF CRIMINAL CASE TRANSFER.</p> <p>Case transfer from California Northern to Eastern District of Texas of a Rule 5, Rule 32, or Rule 40 Appearance as to Andre Martell Wells. Your case number is: 4:21-CR-126-SDJ-KPL. Public transfer documents are accessible and can be retrieved by your court via PACER. Under seal or otherwise restricted documents will be emailed directly. Please send acknowledgement of receipt, including the case number, to InterDistrictTransfer_CAND@cand.uscourts.gov <i>If you wish to designate a different email address for future transfers, send your request to the national list host at InterDistrictTransfer_TXND@txnd.uscourts.gov.</i> (jlmS, COURT STAFF) (Filed on 6/2/2021) (Entered: 06/02/2021)</p>

STEPHANIE M. HINDS (CABN 154284)
Acting United States Attorney

HALLIE HOFFMAN (CABN 210020)
Chief, Criminal Division

JONATHAN U. LEE (CABN 148792)
Assistant United States Attorney

1301 Clay Street, Suite 340S
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Jonathan.Lee@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE MARTELL WELLS,

Defendant.

CASE NO. 4:21-mj-70904-MAG

NOTICE OF PROCEEDINGS ON OUT-OF-DISTRICT CRIMINAL CHARGES PURSUANT TO RULES 5(c)(2) AND (3) OF THE FEDERAL RULES OF CRIMINAL PROCEDURE

Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal Procedure that on May 26, 2021, the above-named defendant was arrested pursuant to the federal arrest warrant (copy attached) issued upon an

☒ Indictment

☐ Information

☐ Criminal Complaint

☐ Other (describe) _____

pending in the Eastern District of Texas, Case Number 4:21-CR-126-SDJ-KPL.

In that case (copy of indictment attached), the defendant is charged with Conspiracy to Possess with the Intent to Distribute Marijuana, in violation of 21 U.S.C. § 846.

FILED

May 26 2021

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

1 The maximum penalties are:

2 As to Count One:

3 If 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana
4 – not less than 10 years and not more than life imprisonment, a fine not to exceed \$10 million, or both;
5 supervised release of at least five years; a \$100 special assessment, and forfeiture.
6

7 Date: May 26, 2021

8 Respectfully submitted,

9 STEPHANIE M. HINDS
10 Acting United States Attorney

11 *Jonathan U. Lee*
12 JONATHAN U. LEE
13 Assistant United States Attorney
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Jonathan.Lee@usdoj.gov

FILED

May 27 2021

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE MARTELL WELLS,

Defendant.

CASE NO. 4:21-MJ-70904-MAG

**AMENDED NOTICE OF PROCEEDINGS ON
OUT-OF-DISTRICT CRIMINAL CHARGES
PURSUANT TO RULES 5(c)(2) AND (3) OF THE
FEDERAL RULES OF CRIMINAL
PROCEDURE**

Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal Procedure that on May 26, 2021, the above-named defendant was arrested pursuant to the federal arrest warrant (copy attached) issued upon an

- ☒ Indictment
- ☐ Information
- ☐ Criminal Complaint
- ☐ Other (describe) _____

pending in the Eastern District of Texas, Case Number 4:21-CR-126-SDJ-KPJ.

In that case (copy of indictment attached), the defendant is charged with Conspiracy to Possess

1 with the Intent to Distribute Marijuana, in violation of 21 U.S.C. § 846.

2 The maximum penalties are:

3 As to Count One:

4 If 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana
5 – not less than 10 years and not more than life imprisonment, a fine not to exceed \$10 million, or both;
6 supervised release of at least five years; a \$100 special assessment, and forfeiture.

7
8 Date: May 27, 2021

9 Respectfully submitted,

10 STEPHANIE M. HINDS
11 Acting United States Attorney

12 *Jonathan U. Lee*
13 JONATHAN U. LEE
14 Assistant United States Attorney

DOCUMENTS UNDER SEAL <input type="checkbox"/>		TOTAL TIME (mins): 28	
MAGISTRATE JUDGE MINUTE ORDER		DEPUTY CLERK Stephen Ybarra	
MAGISTRATE JUDGE Kandis A. Westmore		DATE May 27, 2021	
		REPORTER/FTR 2:50 - 3:18	
		NEW CASE <input type="checkbox"/>	
		CASE NUMBER 4:21-mj-70904-MAG	
APPEARANCES			
DEFENDANT Andre Wells	AGE	CUST Y	P/NP P
ATTORNEY FOR DEFENDANT Angela Hansen		PD. <input checked="" type="checkbox"/> RET. <input type="checkbox"/> APPT. <input type="checkbox"/>	
U.S. ATTORNEY Chinhayi Cadet	INTERPRETER n/a	<input checked="" type="checkbox"/> FIN. AFFT SUBMITTED	
PROBATION OFFICER		<input checked="" type="checkbox"/> COUNSEL APPT'D	
PRETRIAL SERVICES OFFICER Jessica Portillo	DEF ELIGIBLE FOR APPT'D COUNSEL		PARTIAL PAYMENT OF CJA FEES <input type="checkbox"/>
PROCEEDINGS SCHEDULED TO OCCUR			
<input checked="" type="checkbox"/> INITIAL APPEAR Rule 5 (4 mins)	<input type="checkbox"/> PRELIM HRG	<input type="checkbox"/> MOTION	<input type="checkbox"/> JUGM'T & SENTG
<input checked="" type="checkbox"/> I.D. COUNSEL 1	<input checked="" type="checkbox"/> ARRAIGNMENT 3	<input checked="" type="checkbox"/> BOND HEARING 20	<input type="checkbox"/> STATUS TRIAL SET
<input type="checkbox"/> DETENTION HRG	<input type="checkbox"/> ID / REMOV HRG	<input type="checkbox"/> CHANGE PLEA	<input type="checkbox"/> IA REV PROB. or or S/R
		<input type="checkbox"/> PROB. REVOC.	<input type="checkbox"/> OTHER
		<input type="checkbox"/> ATTY APPT HEARING	
INITIAL APPEARANCE			
<input checked="" type="checkbox"/> ADVISED OF RIGHTS	<input checked="" type="checkbox"/> ADVISED OF CHARGES	<input type="checkbox"/> NAME AS CHARGED IS TRUE NAME	<input checked="" type="checkbox"/> TRUE NAME: Andre Martell Wells
ARRAIGNMENT			
<input type="checkbox"/> ARRAIGNED ON INFORMATION	<input checked="" type="checkbox"/> ARRAIGNED ON INDICTMENT	<input type="checkbox"/> READING WAIVED SUBSTANCE	<input type="checkbox"/> WAIVER OF INDICTMENT FILED
RELEASE			
<input type="checkbox"/> RELEASED ON O/R	<input checked="" type="checkbox"/> ISSUED APPEARANCE BOND	AMT OF SECURITY \$ 50,000.00	<input checked="" type="checkbox"/> PASSPORT SURRENDERED DATE: 5/28/21
PROPERTY TO BE POSTED <input type="checkbox"/> CASH \$	CORPORATE SECURITY <input type="checkbox"/>		REAL PROPERTY: <input type="checkbox"/>
<input type="checkbox"/> MOTION FOR DETENTION	<input type="checkbox"/> PRETRIAL SERVICES REPORT	<input type="checkbox"/> DETAINED	<input checked="" type="checkbox"/> RELEASED
		<input type="checkbox"/> DETENTION HEARING AND FORMAL FINDINGS WAIVED	<input type="checkbox"/> REMANDED TO CUSTODY
ORDER REMOVED TO THE DISTRICT OF			
PLEA			
<input type="checkbox"/> CONSENT ENTERED	<input checked="" type="checkbox"/> NOT GUILTY	<input type="checkbox"/> GUILTY	GUILTY TO COUNTS: <input type="checkbox"/>
<input type="checkbox"/> PRESENTENCE REPORT ORDERED	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> PLEA AGREEMENT FILED	OTHER:
CONTINUANCE			
TO:	<input type="checkbox"/> ATTY APPT HEARING	<input type="checkbox"/> BOND HEARING	<input type="checkbox"/> STATUS RE: CONSENT
AT:	<input type="checkbox"/> SUBMIT FINAN. AFFIDAVIT	<input type="checkbox"/> PRELIMINARY HEARING	<input type="checkbox"/> CHANGE OF PLEA
BEFORE HON.	<input type="checkbox"/> DETENTION HEARING	<input type="checkbox"/> ARRAIGNMENT	<input type="checkbox"/> MOTIONS
<input type="checkbox"/> TIME WAIVED	<input type="checkbox"/> TIME EXCLUDABLE UNDER 18 § USC 3161	<input type="checkbox"/> IDENTITY / REMOVAL HEARING	<input type="checkbox"/> JUDGMENT & SENTENCING
		<input type="checkbox"/> PRETRIAL CONFERENCE	<input type="checkbox"/> PROB/SUP REV. HEARING
ADDITIONAL PROCEEDINGS			

Defendant consents to proceed by video. AUSA orally moves to unseal the matter as to Andre Wells - Granted. Defendant admits identity. Defendant shall appear on or before 6/17/21 in the Eastern Dist of Tx. Defendant's father-in-law admonished of his rights and responsibilities as surety. Defendant and surety authorize Court to sign bond on their behalf. DPPA advised. Defendant waives identity/removal.

DOCUMENT NUMBER:

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED

Jun 01 2021

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

United States of America

v.

ANDRE MARTELL WELLS,

Defendants.

Case No. [21-mj-70904-MAG-1](#) (AGT)

Charging District: Eastern District of
Texas

Charging District's Case No.: 4:21-CR-
126-SDJ-KPJ

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT WHERE
CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. The date, time, and place to appear in that court are as follows:

Place:	Before Judge Johnson.
U.S. Federal Courthouse	Date and Time: June 24, 2021 at 9:30 AM.
7940 Preston Road	
Plano, Texas 75024	

If the date or time to appear in that court has not yet been set, the defendant must appear when notified to do so.

The clerk is ordered to transfer any bail deposited and interest earned thereon in the registry of this court, plus earned interest, to the clerk of the court where the charges are pending.

Dated: May 28, 2021



Kandis A. Westmore
United States District Judge